

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:16-cv-02465-APM

RODRIGUEZ v. FEDERAL BUREAU OF INVESTIGATION
Assigned to: Judge Amit P. Mehta
Cause: 05:552 Freedom of Information Act

Date Filed: 12/19/2016
Jury Demand: None
Nature of Suit: 540 Prisoner Petition:
Mandamus & Other (Other)
Jurisdiction: U.S. Government Defendant

Plaintiff**VICTOR RODRIGUEZ**

represented by **VICTOR RODRIGUEZ**
R17569-069
U.S.P.
P.O. Box 150160
Atlanta, GA 30315
PRO SE

V.

Defendant

**FEDERAL BUREAU OF
INVESTIGATION**
*Criminal Division, Office of Informations
Policy*

represented by **Wyneva Johnson**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/19/2016	<u>1</u>	COMPLAINT against FEDERAL BUREAU OF INVESTIGATION filed by VICTOR RODRIGUEZ. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D)(sb) (Entered: 12/20/2016)
12/19/2016	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by VICTOR RODRIGUEZ (sb) (Entered: 12/20/2016)
12/19/2016	<u>3</u>	PRISONER TRUST FUND ACCOUNT STATEMENT for period of six months by VICTOR RODRIGUEZ (sb) (Entered: 12/20/2016)
12/19/2016	<u>4</u>	ORDER granting <u>2</u> Motion for Leave to Proceed in forma pauperis. Signed by Judge Amit P. Mehta on 12/19/2016. (sb) (Entered: 12/20/2016)
12/19/2016		Initiating Pleading & IFP Application Received on 12/09/2016. (sb) (Entered: 12/20/2016)
12/20/2016	<u>5</u>	Summons (3) Issued as to FEDERAL BUREAU OF INVESTIGATION, U.S. Attorney, and U.S. Attorney General. (sb) (Entered: 12/21/2016)
12/30/2016	<u>6</u>	NOTICE of Appearance by Wyneva Johnson on behalf of All Defendants (Johnson, Wyneva) (Entered: 12/30/2016)
12/30/2016	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 12/29/2016. Answer due for ALL FEDERAL DEFENDANTS by 1/28/2017. (zrdj) (Entered: 01/03/2017)

01/04/2017	<u>8</u>	MOTION for Extension of Time to File Response/Reply by FEDERAL BUREAU OF INVESTIGATION (Attachments: # <u>1</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 01/04/2017)
01/05/2017		MINUTE ORDER granting <u>8</u> Motion for Extension of Time to File Response/Reply. Defendant shall file its Response on or before February 28, 2017. Signed by Judge Amit P. Mehta on 01/05/2017. (lcapm3) (Entered: 01/05/2017)
01/05/2017		Set/Reset Deadlines/Hearings: Defendant's response due by 2/28/2017. (cdw) (Entered: 01/05/2017)
01/09/2017	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 12/30/2016. (zrdj) (Entered: 01/10/2017)
01/13/2017	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. FEDERAL BUREAU OF INVESTIGATION served on 1/12/2017 (zrdj) (Entered: 01/17/2017)
02/27/2017	<u>11</u>	MOTION for Extension of Time to File Response/Reply to <i>Complaint</i> by FEDERAL BUREAU OF INVESTIGATION (Attachments: # <u>1</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 02/27/2017)
02/27/2017		MINUTE ORDER granting <u>11</u> Defendant's Motion for Extension of Time. Defendant shall file its Response on or before March 14, 2017. Signed by Judge Amit P. Mehta on 02/27/2017. (lcapm3) (Entered: 02/27/2017)
02/27/2017		Set/Reset Deadlines/Hearings: Answer to complaint due by 3/14/2017. (cdw) (Entered: 02/28/2017)
02/28/2017	<u>12</u>	MOTION for Extension of Time to File Response/Reply by FEDERAL BUREAU OF INVESTIGATION (Attachments: # <u>1</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 02/28/2017)
02/28/2017		MINUTE ORDER granting <u>12</u> Defendant's Motion for Extension of Time. Defendant shall file its Response on or before March 31, 2017. As this is Defendant's third request for additional time, no further extension shall be granted absent extraordinary circumstances. Signed by Judge Amit P. Mehta on 02/28/2017. (lcapm3) (Entered: 02/28/2017)
03/20/2017	<u>13</u>	MOTION to Clarify by VICTOR RODRIGUEZ (zrdj) (Entered: 03/22/2017)
03/28/2017	<u>14</u>	ORDER denying <u>13</u> Plaintiff's Motion to Clarify. See attached Order for additional details. Signed by Judge Amit P. Mehta on 03/28/2017. (lcapm3) (Entered: 03/28/2017)
03/31/2017	<u>15</u>	<i>Defendant's</i> ANSWER to <u>1</u> Complaint by FEDERAL BUREAU OF INVESTIGATION.(Johnson, Wyneva) (Entered: 03/31/2017)
04/03/2017	<u>16</u>	ORDER: Both a Complaint and an Answer are now before the court in this FOIA case. It is hereby ordered that Defendant shall file a Status Report on or before April 17, 2017. See attached Order for additional details. Signed by Judge Amit P. Mehta on 04/03/2017. (lcapm3) (Entered: 04/03/2017)
04/03/2017		Set/Reset Deadlines/Hearings: Defendant's Status Report due by 4/17/2017. (cdw) (Entered: 04/04/2017)
04/17/2017	<u>17</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Johnson, Wyneva) (Entered: 04/17/2017)
04/19/2017		MINUTE ORDER. Upon consideration of <u>17</u> Defendant's Status Report, the court orders the following: Defendant Criminal Division shall file a status report on or before June 15, 2017; and Defendant FBI shall file a status report on or before July 18, 2017. Signed by Judge Amit P. Mehta on 04/19/2017. (lcapm3) (Entered: 04/19/2017)
04/19/2017		Set/Reset Deadlines/Hearings: Defendant Criminal Division's Status Report due by 6/15/2017. Defendant FBI's Status Report due by 7/18/2017. (cdw) (Entered: 04/20/2017)

06/15/2017	<u>18</u>	STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Johnson, Wyneva) (Entered: 06/15/2017)
06/16/2017	<u>19</u>	ORDER setting the following schedule for further proceedings in this matter: Defendants' Motion for Summary Judgment shall be filed on or before August 15, 2017; Plaintiff's Opposition to Defendants' Motion for Summary Judgment shall be filed on or before September 15, 2017; and Defendants' Reply shall be filed on or before October 15, 2017. See attached Order for additional details. Signed by Judge Amit P. Mehta on 06/16/2017. (lcapm3) (Entered: 06/16/2017)
07/18/2017	<u>20</u>	STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Johnson, Wyneva) (Entered: 07/18/2017)
07/19/2017		MINUTE ORDER. In light of <u>20</u> Defendant Federal Bureau of Investigation's Status Report, the FBI shall submit a subsequent Status Report on or before October 17, 2017. The court clarifies that its June 16, 2017, Order setting a summary judgment briefing schedule applies only to Defendants Criminal Division, Office of Information Policy, and the Executive Office for U.S. Attorneys. Signed by Judge Amit P. Mehta on 07/19/2017. (lcapm3) (Entered: 07/19/2017)
07/19/2017		Set/Reset Deadlines/Hearings: Defendant Federal Bureau of Investigation's Status Report due by 10/17/2017. (zcdw) (Entered: 07/19/2017)
07/21/2017	<u>21</u>	CERTIFICATE OF SERVICE by FEDERAL BUREAU OF INVESTIGATION re <u>18</u> Status Report (<i>Amended Certificate of Service</i>). (Johnson, Wyneva) (Entered: 07/21/2017)
08/15/2017	<u>22</u>	MOTION for Extension of Time to <i>File Dispositive Motion</i> by FEDERAL BUREAU OF INVESTIGATION (Attachments: # <u>1</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 08/15/2017)
08/16/2017		MINUTE ORDER granting <u>22</u> Defendants' Motion for Extension of Time. Defendants Criminal Division, Office of Information Policy, and the Executive Office of U.S. Attorneys shall file their Response by August 16, 2017. Signed by Judge Amit P. Mehta on 08/16/2017. (lcapm3) (Entered: 08/16/2017)
08/16/2017	<u>23</u>	MOTION for Summary Judgment by FEDERAL BUREAU OF INVESTIGATION (Attachments: # <u>1</u> Declaration Peter Sprung DOJ Included Exh 1, Exh 2, # <u>2</u> Declaration Jolly Vinay EOUSA Incl Exh A, Exh B)(Johnson, Wyneva) (Entered: 08/16/2017)
08/16/2017		Set/Reset Deadlines/Hearings: Defendants Criminal Division, Office of Information Policy, and the Executive Office of U.S. Attorneys' responses due by 8/16/2017. (cdw) (Entered: 08/18/2017)
08/17/2017		MINUTE ORDER revising the schedule for further proceedings in this matter. Plaintiff's Opposition to Defendants Criminal Division and Executive Office for United States Attorneys' Motion for Summary Judgment shall be filed on or before September 18, 2017; and Defendants' Reply shall be filed on or before October 18, 2017. Signed by Judge Amit P. Mehta on 08/17/2017. (lcapm3) (Entered: 08/17/2017)
08/17/2017	<u>24</u>	ORDER advising Plaintiff to respond by September 18, 2017, to <u>23</u> Defendants' Motion for Summary Judgment or risk entry of judgment in favor of Defendants. See attached Order for additional details. Signed by Judge Amit P. Mehta on 08/17/2017. (lcapm3) (Entered: 08/17/2017)
08/17/2017		Set/Reset Deadlines/Hearings: Response to Motion for Summary Judgment due by 9/18/2017. Reply to Motion for Summary Judgment due by 10/18/2017. (zcdw) (Entered: 08/18/2017)
08/30/2017	<u>25</u>	NOTICE to the Court by VICTOR RODRIGUEZ (jf) Modified to correct typos on 8/31/2017 (znmw). (Entered: 08/30/2017)
08/31/2017		MINUTE ORDER. The court treats <u>25</u> Plaintiff's Notice to the Court as a Motion for Extension of Time and grants the Motion. Plaintiff's Opposition to Defendants' Motion for Summary Judgment shall be filed on or before October 16, 2017. Further, the court directs the Clerk's Office to send Plaintiff a copy of <u>23</u> Defendants' Motion for Summary Judgment. Signed by Judge Amit P. Mehta on 08/31/2017. (lcapm3) (Entered: 08/31/2017)

08/31/2017	<u>26</u>	ORDER advising Plaintiff to respond by October 16, 2017, to <u>23</u> Defendants' Motion for Summary Judgment or risk entry of judgment in favor of Defendants. See attached Order for additional details. Signed by Judge Amit P. Mehta on 08/31/2017. (lcapm3) (Entered: 08/31/2017)
08/31/2017		Set/Reset Deadlines/Hearings: Response to Motion for Summary Judgment due by 10/16/2017. (cdw) (Entered: 08/31/2017)
10/05/2017	<u>27</u>	Memorandum in opposition to re <u>23</u> MOTION for Summary Judgment filed by VICTOR RODRIGUEZ. (td) (Entered: 10/10/2017)
11/22/2017	<u>28</u>	STATUS REPORT <i>and Notice to the Court</i> by FEDERAL BUREAU OF INVESTIGATION. (Johnson, Wyneva) (Entered: 11/22/2017)
11/27/2017	<u>29</u>	ORDER. In light of Defendant's <u>28</u> Status Report, the court hereby advises Plaintiff that failure to pay required fees may result in dismissal of this action for failure to exhaust administrative remedies. Defendant shall file a Status Report no later than December 27, 2017, notifying the court as to whether Plaintiff has paid the required fees or taken an administrative appeal, or, if neither action has been taken by Plaintiff, indicating when Defendant intends to seek dismissal. See attached Order for additional details. Signed by Judge Amit P. Mehta on 11/27/2017. (lcapm3) (Entered: 11/27/2017)
11/27/2017		Set/Reset Deadlines/Hearings: Defendant's Status Report due by 12/27/2017. (zcdw) (Entered: 11/28/2017)
12/20/2017	<u>30</u>	STATUS REPORT <i>AND NOTICE TO THE COURT</i> by FEDERAL BUREAU OF INVESTIGATION. (Johnson, Wyneva) (Entered: 12/20/2017)
12/20/2017		MINUTE ORDER. In light of <u>30</u> Defendant's Status Report, Defendant shall file a subsequent Joint Status Report no later than March 20, 2018. Signed by Judge Amit P. Mehta on 12/20/2017. (lcapm3) (Entered: 12/20/2017)
12/20/2017		Set/Reset Deadlines/Hearings: Defendant's Status Report due by 3/20/2018. (zcdw) (Entered: 12/21/2017)
02/21/2018	<u>31</u>	MEMORANDUM OPINION and ORDER denying Defendants' <u>23</u> Motion for Summary Judgment without prejudice. See attached Memorandum Opinion and Order for details. Signed by Judge Amit P. Mehta on 02/21/2018. (lcapm3) (Entered: 02/21/2018)
02/21/2018		Set/Reset Deadlines/Hearings: Defendants' renewed Summary Judgment motion due by 4/6/2018. (zcdw) (Entered: 02/22/2018)
03/07/2018	<u>32</u>	STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Johnson, Wyneva) (Entered: 03/07/2018)
03/08/2018		MINUTE ORDER. In light of <u>31</u> Defendant's Status Report, Defendant FBI shall file a subsequent Joint Status Report no later than June 6, 2018. Signed by Judge Amit P. Mehta on 03/08/2018. (lcapm3) (Entered: 03/08/2018)
03/08/2018		Set/Reset Deadlines/Hearings: Defendant's Status Report due by 6/6/2018. (zcdw) (Entered: 03/09/2018)
04/04/2018	<u>33</u>	MOTION for Extension of Time to <i>to file Defendant's Renewed Motion for Summary Judgment</i> , by FEDERAL BUREAU OF INVESTIGATION (Attachments: # <u>1</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 04/04/2018)
04/05/2018		MINUTE ORDER granting Defendant Criminal Division's <u>33</u> Motion for Extension of Time. Defendant Criminal Division shall have up to and including May 4, 2018, to file its Renewed Motion for Summary Judgment. Signed by Judge Amit P. Mehta on 04/05/2018. (lcapm3) (Entered: 04/05/2018)
04/06/2018	<u>34</u>	MOTION for Extension of Time to <i>file Defendant Executive Office for United States Attorneys' Renewed Motion for Summary Judgment</i> by FEDERAL BUREAU OF INVESTIGATION (Attachments: # <u>1</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 04/06/2018)

04/09/2018		MINUTE ORDER granting Defendant Executive Office for United States Attorneys' <u>34</u> Motion for Extension of Time. Defendant Executive Office for United States Attorneys shall have up to and including April 9, 2018, to file its Renewed Motion for Summary Judgment. Signed by Judge Amit P. Mehta on 04/09/2018. (lcapm3) (Entered: 04/09/2018)
04/09/2018	<u>35</u>	Renewed MOTION for Summary Judgment (<i>Defendant Executive Office of the United States Attorneys Renewed Motion for Summary Judgment</i>) by FEDERAL BUREAU OF INVESTIGATION (Attachments: # <u>1</u> Text of Proposed Order)(Johnson, Wyneva) . (Entered: 04/09/2018)
04/10/2018	<u>36</u>	ORDER advising Plaintiff to respond by May 21, 2018, to Defendant Executive Office for United States Attorneys' <u>35</u> Renewed Motion for Summary Judgment or risk entry of judgment in favor of Defendant. See attached Order for additional details. Signed by Judge Amit P. Mehta on 04/10/2018. (lcapm3) (Main Document 36 replaced on 4/11/2018) (zcdw). (Entered: 04/10/2018)
04/27/2018	<u>37</u>	NOTICE to the Court by VICTOR RODRIGUEZ (jf) (Entered: 05/01/2018)
05/01/2018		MINUTE ORDER. In light of Plaintiff Victor Rodriguez's <u>37</u> Notice to the Court indicating he has not yet received Defendant Executive Office for United States Attorneys' <u>35</u> Renewed Motion for Summary Judgment, the court hereby orders the Clerk of the Court to mail a copy of Defendant's <u>35</u> Motion to Plaintiff. Additionally, the court, on its own accord, extends the time for Plaintiff to respond to Defendant's <u>35</u> Motion until June 4, 2018. Signed by Judge Amit P. Mehta on 05/01/2018. (lcapm3) (Entered: 05/01/2018)
05/02/2018		Set/Reset Deadlines/Hearings: Response to <u>35</u> due by 6/4/2018. (zcdw) (Entered: 05/02/2018)
05/02/2018	<u>38</u>	MOTION for Extension of Time to <i>to File Defendant Criminal Division's Renewed Motion for Summary Judgment</i> , by FEDERAL BUREAU OF INVESTIGATION (Attachments: # <u>1</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 05/02/2018)
05/04/2018		MINUTE ORDER granting Criminal Division's <u>38</u> Motion for Extension of Time. Defendant Criminal Division shall have up to and including May 25, 2018 to file its Renewed Motion for Summary Judgment. Signed by Judge Amit P. Mehta on 05/04/2018. (lcapm3) (Entered: 05/04/2018)
05/04/2018		Set/Reset Deadlines/Hearings: Criminal Division's Renewed Motion for Summary Judgment due by 5/25/2018. (zcdw) (Entered: 05/06/2018)
05/14/2018	<u>39</u>	RESPONSE re <u>35</u> Renewed MOTION for Summary Judgment (Defendant Executive Office of the United States Attorneys Renewed Motion for Summary Judgment) filed by VICTOR RODRIGUEZ. (jf) (Entered: 05/16/2018)
05/24/2018	<u>40</u>	Renewed MOTION for Summary Judgment by FEDERAL BUREAU OF INVESTIGATION (Attachments: # <u>1</u> Declaration of Peter Sprung, # <u>2</u> Appendix Revised Vaughn Index, # <u>3</u> Text of Proposed Order)(Johnson, Wyneva) Modified text on 5/25/2018 (ztd). Modified to change event type and docket text on 8/13/2018 (zjd). (Entered: 05/24/2018)
05/25/2018	<u>41</u>	ORDER advising Plaintiff to respond by June 28, 2018, to Defendant Criminal Division's <u>40</u> Motion for Summary Judgment or risk entry of judgment in favor of Defendant. See attached Order for additional details. Signed by Judge Amit P. Mehta on 05/25/2018. (lcapm3) (Entered: 05/25/2018)
05/25/2018		Set/Reset Deadlines: Plaintiff's Response due by 6/28/2018. (zjd) (Entered: 05/29/2018)
06/06/2018	<u>42</u>	STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Johnson, Wyneva) (Entered: 06/06/2018)
06/07/2018		MINUTE ORDER. In light of Defendant's <u>42</u> Status Report, Defendant FBI shall file a subsequent Joint Status Report no later than September 5, 2018. Signed by Judge Amit P. Mehta on 06/07/2018. (lcapm3) (Entered: 06/07/2018)
06/07/2018		Set/Reset Deadlines: Status Report due by 9/5/2018. (zjd) (Entered: 06/08/2018)

06/08/2018	<u>43</u>	NOTICE to the Court by VICTOR RODRIGUEZ (jf) (Entered: 06/12/2018)
06/14/2018		MINUTE ORDER. In light of Plaintiff's <u>43</u> Notice, Defendant Criminal Division shall re-serve Plaintiff with its renewed motion for summary judgment. Plaintiff shall file an opposition no later than July 30, 2018. Signed by Judge Amit P. Mehta on 06/14/2018. (lcapm3) (Entered: 06/14/2018)
06/14/2018		Set/Reset Deadlines: Plaintiff's Opposition due by 7/30/2018. (zjd) (Entered: 06/14/2018)
06/18/2018	<u>44</u>	NOTICE to the Court by VICTOR RODRIGUEZ (jf) (Entered: 06/20/2018)
06/28/2018	<u>45</u>	RESPONSE 6/14/18 <i>MINUTE ORDER</i> filed by FEDERAL BUREAU OF INVESTIGATION. (Johnson, Wyneva) (Entered: 06/28/2018)
07/05/2018	<u>46</u>	MOTION to Clarify re <u>35</u> MOTION for Summary Judgment (<i>Defendant Executive Office of the United States Attorneys Renewed Motion for Summary Judgment</i>) by VICTOR RODRIGUEZ (jf) (Entered: 07/09/2018)
07/26/2018	<u>47</u>	SURREPLY to re <u>35</u> MOTION for Summary Judgment (<i>Defendant Executive Office of the United States Attorneys Renewed Motion for Summary Judgment</i>) filed by VICTOR RODRIGUEZ. "Let this be filed" by Judge Amit P. Mehta on 7/26/2018. (tth) Modified text on 7/26/2018 (tth). (Entered: 07/26/2018)
08/29/2018	<u>48</u>	STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Johnson, Wyneva) (Entered: 08/29/2018)
08/31/2018		MINUTE ORDER. In light of <u>48</u> Defendant's Status Report, Defendant shall file a subsequent Joint Status Report on or before October 5, 2018. Signed by Judge Amit P. Mehta on 8/31/2018. (Entered: 08/31/2018)
08/31/2018		Set/Reset Deadlines: Joint Status Report due by 10/5/2018. (zjd) (Entered: 08/31/2018)
10/05/2018	<u>49</u>	STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Johnson, Wyneva) (Entered: 10/05/2018)
10/09/2018		MINUTE ORDER. In light of <u>49</u> Defendant's Status Report, Defendant shall file a subsequent Joint Status Report on or before January 4, 2019. Signed by Judge Amit P. Mehta on 10/09/2018. (lcapm3) (Entered: 10/09/2018)
10/09/2018		Set/Reset Deadlines: Joint Status Report due by 1/4/2019. (zjd) (Entered: 10/10/2018)
12/14/2018	<u>50</u>	MEMORANDUM OPINION AND ORDER granting <u>35</u> Defendant Executive Office for U.S. Attorney's Renewed Motion for Summary Judgment and <u>40</u> Defendant Criminal Division's Renewed Motion for Summary Judgment. See attached Memorandum Opinion and Order for additional details. Signed by Judge Amit P. Mehta on 12/14/2018. (lcapm3) (Entered: 12/14/2018)